

**UNITED STATES DISTRICT COURT
FOR THE Northern District of Illinois – CM/ECF NextGen 1.8 (rev. 1.8.3)
Eastern Division**

Brandon Smietana, et al.

Plaintiff,

v.

Case No.: 1:24–cv–08617

Honorable John Robert Blakey

Bradford Stephens, et al.

Defendant.

NOTIFICATION OF DOCKET ENTRY

This docket entry was made by the Clerk on Wednesday, June 4, 2025:

MINUTE entry before the Honorable John Robert Blakey: The Court denies without prejudice Plaintiffs' motion for service by publication [74] because Plaintiffs neglected to notice the motion for presentment, as required by this Court's standing order, and because the motion fails to provide sufficient basis to permit service by alternative means. Initially, it appears that the only attempt to serve Defendant Stephens in calendar year 2025 was made at an incorrectly identified address, [74–1] at 2; although Plaintiffs confirmed that Defendant Stephens owns and rents a house in Chicago, they last attempted service there almost nine months ago, see *id.* at 5–6. Similarly, Plaintiffs last attempted to serve Defendant Peck at home in October of 2024, see [74–2] at 2, 3. Plaintiffs' efforts, at least as detailed in the current motion, suggest a lack of diligence in effecting service; indeed, Plaintiffs have never even asked the Court to extend the time for service, and, until this Court's order raising the issue, seemed to have forgotten all about the "formalities of service of process under Rule 4." *Fematt v. City of Chicago*, No. 11–CV–1530, 2011 WL 2415340, at *1 (N.D. Ill. June 10, 2011). The Court declines to permit alternative service based upon these stale efforts. Mailed notice. (evw,)

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